

**Minutes of the Special Planning Board Meeting  
Wednesday, January 31, 2007**

1.     CONVENE:             7:05 p.m.
2.     FLAG SALUTE:     Member Cunningham
3.     ROLL CALL:        President Lynch, Vice President Cook, Cunningham, Ezzy Ashcraft, Kohlstrand, Mariani, McNamara.

Also present were Planning & Building Director Cathy Woodbury, Planning Services Manager Andrew Thomas and Executive Assistant Latisha Jackson

4.     ORAL COMMUNICATION:

Dorothy Reid proposed posting the Planning Board agenda two weeks prior to meetings. She also requested more communication with Board members through email. She felt the amount and/or importance of items in any given meeting should be more evenly divided to avoid long meetings and pressure to decide on important issues. She stated staff should be able to gather information from all interested parties without having to weigh validity of information. She felt staff should be neutral in their decisions and not make recommendations on one side of projects going to the Planning Board. She felt staff should serve the public.

Helen Sause expressed interest in an informational forum on Measure A at the Board's earliest convenience. She also expressed concern over Alameda Point.

Diane Lichtenstein, HOMES, Inc. echoed Ms. Sause's interest on the forum regarding Measure A. She noted that HOMES Inc. is in favor of modifying Measure A for Alameda Point.

Cathy Woodbury discussed roles and responsibilities for Planning Board members, staff, and others involved.

In response to an inquiry by Board member Ezzy Ashcraft on why the meeting had to end at 9:00 p.m., Ms. Woodbury noted that staff would research that information and bring the findings back to the Board.

Board member Mariani followed up on Ms. Reid's comments where it appears the City is advocating and not taking all comments into consideration with respect to projects. She inquired why city staff could not be designated to assist groups who may be opposed to projects as well. Ms. Woodbury noted staff does not represent developers but presents an analysis in conjunction with the City's codes, rules and regulations.

Board member McNamara noted that one of the roles of the Board is to communicate with staff and make sure there is an open line of communication; she expressed concern with the communication significant breakdown between staff and the Board. She encouraged staff and the Planning Board to enhance their communication.

Board member Kohlstrand noted that she felt the role of staff should be to make recommendations to the Board. She felt the Board should be clear on what the City's position is on projects that are presented to the Planning Board. She noted that she also felt there was a communication breakdown between staff and the Board. She encouraged more communication so the Board would be clear on previous projects and she looked forward to updates on those projects.

Board member Ezzy Ashcraft wanted to make sure that items that should come back to the Board make it back and not be locked up in administrative decision-making. She also mentioned the Safeway gas station proposal and expressed concern with the East/West sidewalk and the proposed driveways.

Ms. Woodbury informed the Board that staff would make every effort to prevent those processes from happening in the future. She noted that items that should come back to the Board make sure the project is in compliance with conditions set forth in approved resolutions.

Board member McNamara mentioned that the City should provide an email so her personal email would not be barraged with correspondence.

Ms. Woodbury noted that the City is in the process of establishing a City based e-mail service for the Planning Board, which would be listed on the Planning & Building Department's homepage of its website. She explained that all inquiries, comments and concerns received would then be forwarded to the Planning Board members.

Board Member Ezzy Ashcraft noted that the AB 1234 Mandatory Ethics training stated that there are legal reasons why Board members personal e-mails should not be used. She stated if personal e-mails were used for Board communications, *and if litigation occurred, all personal emails could be requested by the person or entity that brought the litigation* ~~all personal e-mails could be viewed by the person/entity that made the request.~~

Vice President Cook expressed concern with the apparent disconnect between Development Services and Planning staff.

President Lynch mentioned that there should be more fundamental discussions between the City Manager and City Council. He also questioned the jurisdiction of the Planning Board and there purpose.

Ms. Woodbury responded by mentioning that when there are applications that are questionable, public meetings with the neighborhoods are held.

President Lynch expressed concern with the budget and how it reflects the work plan. He encouraged a better understanding of parameters of the Planning & Building Department and other City departments. He also encouraged more communication with other department heads.

Ms. Woodbury responded by saying that she agrees that it would be a good discussion to talk about the work plan.

In response to an inquiry by President Lynch on which order the work program items should be viewed in or if the Board should follow the PowerPoint presentation, Ms. Woodbury stated that the Board should follow the PowerPoint presentation. She also brought up the issue of meeting management and making the meetings more efficient to accommodate all speakers and to hear everyone voice their opinions.

In response to an inquiry by Board member Mariani on the feasibility of having a joint meeting with the City Council, Ms. Woodbury responded in the affirmative. She noted the question of the joint meeting focusing on a specific project was not feasible.

Board member Cunningham expressed his hesitancy on receiving e-mail on his personal e-mail account. He inquired about the concern with individual members of the Board receiving e-mails or having contact with prospective developers that could be viewed as “back door deals” on projects.

Ms. Woodbury responded the purpose of setting up this e-mail system was a means for the public to communicate their concerns to the Planning Board. She noted that the City would provide training on how to handle e-mail inquiries.

President Lynch expressed concern with receiving and answering emails from the public. He felt at best this system would be a repository for public comment. He suggested that when the system is in place, that no Board members respond to comments. He felt responses could tread in an area in which Board members are rendering a position on something the Board may need to make a determination on.

Board member Ezzy Ashcraft responded by saying that she welcomes public comment via email and is willing to respond to inquiries. She noted that she would not dialogue with the public but she felt she should be accessible to the public.

Board member Mariani noted that she felt opposite about releasing her personal e-mail address to the public. She noted as a volunteer, she felt she should be accessible to the public and did not mind the public having her personal e-mail address.

Ms. Woodbury responded that all views on e-mail availability could be addressed with this system provided by the City. She noted the system would be linked to the City’s website as a group specifically designated for the Planning Board.

Ms. Woodbury continued with her presentation and addressed what is expected of the Planning Board. She noted that if a Board member missed a meeting and an item happened to be continued, it was the member’s responsibility to obtain information from the missed meeting, such as evidence, minutes, and videos, to be prepared for the discussion at the following meeting.

Board member Ezzy Ashcraft suggested getting the packets earlier to allow more time for the Board to read the material and contact the Planning & Building Department with questions or concerns they may have. She noted it would be helpful if staff continues to move toward the goal of more advanced time for the Board to review packets and have questions addressed in a timely manner.

Ms. Woodbury mentioned being able to trust staff to enable staff member to give direction and ideas to a project. She also mentioned adding conditions and making sure they are enforceable.

Board member Mariani requested e-mail addresses, telephone numbers and extensions for staff.

Vice President Cook noted that she has not received more than a handful of electronic e-mail communications from the public before meetings but she has received hard copy e-mails before meetings.

Ms. Jackson informed the Board that generally correspondence received from the public comes in the day of their meeting and is then forwarded to the Planning Board members.

Ms. Woodbury continued with her PowerPoint presentation. She noted that when projects come before the Board, it is important to remember that no project is perfect when it begins. She also noted that the Board could potential approve a project in concept and give staff and the applicant clear direction. She stated to the Board that she understood the only way the Board could do this is if they really trusted staff. She assured the Board that staff would continue to work with the Board to improve communication and gain their trust. She noted there is a comprehensive training schedule for staff to improve their condition of approval writing abilities since new staff has been hired in the last four months.

In response to an inquiry by Board member McNamara regarding what the Planning Department's role is in policing projects to ensure projects are in compliance with conditions and what the penalties are for noncompliance, Ms. Woodbury responded it depends on the conditions. She noted that it is the Planning & Building Department's responsibility to monitor and enforce conditions.

Board member Kohlstrand commented on the packet deliver times and feels that packets and agendas should be available at least a week in advance for adequate review. She also mentioned approving projects in concept and providing direction to staff. She would like the City Attorney to take a more proactive role in meetings. She commended the Planning Services Manager, Andrew Thomas, on his ability to gather the Board's comments to ensure their conditions are adequately documented on projects he brings before the Board.

Board member Ezzy Ashcraft concurred with Board member Kohlstrand's comment on having the City Attorney take more of a proactive role an the meetings. She also suggested that some staff reports be more clearly written to help everyone have a clear plan of action to approve or deny projects based on findings.

Vice President Cook concurred with Board member Kohlstrand's comment on more assistance and guidance from the City Attorney during the meetings. She also suggested follow-ups on projects that have previously come before the Board to ensure that what the Board approved is what the project has become.

Ms. Woodbury noted that staff would debrief the Board on previous approved projects.

Board member Cunningham suggested having community meetings with developers in the planning stages of projects. He noted if the community and the developers have a clear outline of the projects *goals* from the start, and their vision on what the project should be, there would be less chance of complicating the project as it progresses.

Ms. Woodbury mentioned that there are a number of new employees that are being trained and it would be a good idea to provide feedback on reports and presentations from the Board.

Board member Kohlstrand noted it would be helpful to include a vicinity map in each project showing where the project is located.

Board member McNamara mentioned the lack of follow-through when they have asked staff to gather information and bring it back to the board.

Board member Ezzy Ashcraft commended Mr. Thomas for the clarity of his staff reports and suggested he provide training for staff on report writing to reach the same level of clarity.

Vice President Cook noted the importance of having potential controversial projects before the Board in a timely manner. She noted it would be helpful to have documents in circulation, i.e., Mitigated Negative Declarations, forwarded to the Board. She mentioned that she received a call from a City Council member who had very little information regarding a Planning Board project that was appealed to the City Council who was curious to know why the Planning Board declined the project and how little the staff report reflected the Board's discussion and findings.

Board member Mariani mentioned that Mr. Thomas was good at 'wrangling in' at meetings helps the Board focus on what they have before them. She also suggested moving the communications up in the order of the agenda.

Ms Woodbury brought up effective meeting management and how it's the President's responsibility to maintain order and keep things moving. She also mentioned that anyone wishing to speak should be recognized by the President to make it easier to compile the public records and connect the speaker to the right statement. Board members must be able to clearly articulate decisions, especially when it is different from staff's recommendations. She noted the importance for everyone to respect one another because all their comments are valuable.

In response to an inquiry by President Lynch on if a Board member could deny a project just because they don't like it, Ms. Woodbury responded in the negative. She stated the Board had to make a finding on why they would deny the project based on the Code.

Board member Maiani noted that Board members not take disagreements personally. She noted it is okay to disagree respectfully.

5. ADJOURNMENT:

Respectfully submitted,

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Andrew Thomas, Secretary  
City Planning Board

These minutes were approved at the Planning Board meeting of March 26, 2007. This meeting was audio and videotaped.